

GENERAL ORDINANCE NO. G- 26-73

An Ordinance amending Sections 3 and 14 of the Zoning Ordinance of the City of Fort Wayne, Indiana, pertaining to the definitions of Group Homes and Half-Way Houses and for their location in certain districts as permitted uses.

WHEREAS, over the past several years the City of Fort Wayne, and other cities throughout the country, have begun to experience the growth of a new type of care facility called the group home; and,

WHEREAS, this growth is a recognition that some persons who are categorized as physically, mentally or socially handicapped are not best served by the process of institutionalization and their potential for rehabilitation and ultimate return to the community as self-sufficient, productive members of society is greatly enhanced by placing them in a temporary residential group facility in a residential environment; and,

WHEREAS, the current zoning ordinance of the City of Fort Wayne makes no provision for such uses as permitted or otherwise, except as contingent or special uses at the discretion of the Board of Zoning Appeals, and this seriously and adversely affects the planning, development, and operation of these group care facilities, contrary to the purpose of the zoning ordinance which is to promote and not hinder the public health, safety, comfort, morals, convenience, and general public welfare; and,

WHEREAS, this situation should be remedied by amending the Zoning Ordinance to define Group Homes and Half-Way Houses and by providing for them as permitted uses in certain limited residential areas.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. Section 3 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by adding thereto the following:

Section 3. Definitions.

(61) Extended Group Home - A facility located in a residential community providing shelter and/or rehabilitation for from seven (7) to fourteen (14) children under the age of eighteen (18) years, referred by a governmental body or duly licensed social service agency, who for various reasons cannot reside in their family home. Twenty-four hour adult supervision is mandatory and professional supervision and consultation is available to both child care staff and children. The purpose of this type of facility is to provide a service for the child who does not need the structure of an institution in that he does not present a threat to the community, yet is not a foster home candidate. The goal of the service is to return home, other placement or emancipation, depending upon the age of the child and the circumstances of his family.

(62) Half-Way House - A resident facility for sixteen (16) or less persons eighteen (18) years of age or older, referred by a governmental body or duly licensed social service agency, which provides short-term rehabilitative services in a transitional environment, to persons who are physically, emotionally or socially handicapped. The goal of the service is to aid the individual's successful re-entry into the community as an independent and a productive member.

(63) Limited Group Home - A facility located in a residential community providing shelter and/or rehabilitation for six (6) or less children under the age of eighteen (18) years, referred by a governmental body or duly licensed social service agency, who for various reasons cannot reside in their family home. Twenty-four hour adult supervision is mandatory and professional supervision and consultation is available to both child care staff and children. The purpose of this type of facility is to provide a service for the child who does not need the structure of an institution in that he does not present a threat to the community, yet is not a foster home candidate. The goal of the service is to return home, other placement or emancipation, depending upon the age of the child and the circumstances of his family.

SECTION 2. Section 14 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by adding thereto the following:

Section 14. Permitted Uses - Specified Districts.

A. "R1" District - One Family Residence.

- (1) One Family Dwelling.
- (2) Public Park or Recreation Area.
- (3) Church, Public or Parochial Primary or Secondary School, including attached or free standing announcement or bulletin board, not exceeding 24 square feet in area.
- (4) Home Occupation.
- (5) Limited Group Home, if its location is first approved by the Board following a public hearing.

- (6) Day Nursery, if its location is first approved by the Board following a public hearing.
 - (7) Accessory Building and Use.
 - (8) Name Plate or Sign - One per dwelling unit not exceeding 1 square foot in area; unlighted signs not exceeding 12 square feet in area pertaining to sale or rental of property on which located.
- B. "R2" District - Two Family Residence.
- (1) All uses permitted in the "R1" District, Plus:
 - (2) Two Family Dwelling.
 - (3) Day Nursery
 - (4) Limited Group Home.
 - (5) Extended Group Home, if its location is first approved by the Board following a public hearing.
 - (6) Half-Way House, if its location is first approved by the Board following a public hearing.
 - (7) Accessory Building and Use.
- C. "R3" District - Multiple Family Residence.
- (1) All Uses Permitted in the "R2" District, Plus:
 - (2) Multiple Family Dwelling.
 - (3) Apartment Hotel.
 - (4) Day Nursery, Tourist Home, Lodging Home.
 - (5) Nursing Home or Rest Home.
 - (6) Non-Profit Private Club.
 - (7) Mortuary.
 - (8) Extended Group Homes.
 - (9) Half-Way House.
 - (10) Office or Studio, if its location is first approved by the Board following a public hearing.
 - (11) Accessory Building and Use.


SECTION 3. If any part, parts, section, sections, provision, clause or portion of this Ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Ordinance as a whole or of any other part, section,

clause, provision, or portion of this Ordinance.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.


Councilman

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

Read the first time in full and on motion by Nuckels, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 9-11-73

Charles W. Whitman
CITY CLERK

Read the third time in full and on motion by Nuckels, seconded by V. Schmidt, and duly adopted, placed on its passage.

Passed (~~lost~~) by the following vote:

	AYES <u>6</u>	NAYS <u>2</u>	ABSTAINED _____	ABSENT <u>1</u> to-wit:
BURNS	✓	✓	_____	_____
HINGA	✓	_____	_____	_____
KRAUS	_____	_____	_____	<u>A</u>
MOSES	✓	_____	_____	_____
NUCKOLS	✓	_____	_____	_____
SCHMIDT, D.	_____	✓	_____	_____
SCHMIDT, V.	✓	_____	_____	_____
STIER	✓	_____	_____	_____
TALARICO	✓	_____	_____	_____

DATE: 10/23/73

Charles W. Whitman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 22-26-73 on the 23rd day of October, 1973.

Charles W. Whitman
CITY CLERK

ATTEST: (SEAL)

Winfield C. Mayo, Jr.
PRESTIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 2 o'clock A. M., E.S.T.

Charles W. Whitman
CITY CLERK

Approved and signed by me this 24th day of October, 1973, at the hour of 2:00 o'clock P. M., E.S.T.

James A. Roberts
MAYOR

RESOLUTION OF ZONING ORDINANCE TEXT AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 11, 1973, referred a proposed zoning text amendment to the City Plan Commission which proposed ordinance was designated as Bill No. G-73-09-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,


WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 15, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Text of the Zoning Ordinance to be amended and the amendment will be in the best interest of and benefit to the City of Fort Wayne;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 15, 1973.

Certified and signed this
18th day of October, 1973.



Gretchen Wiegel
Secretary

Bill No. G-73-09-14

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
Amending Sections 3 and 14 of the Zoning Ordinance of the City
of Fort Wayne, Indiana, pertaining to the definitions of Group
Homes and Half-Way Houses and for their location in certain districts
as permitted uses.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
William T. Hinga

DATE 10-23-73 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

JUVENILE DIVISION
ALLEN SUPERIOR COURT

TELEPHONE:

JUVENILE COURT
(219) 423-7153

PROBATION DEPARTMENT
(219) 423-7541

ROBERT E. MEYERS
JUDGE

WILLIAM A. BERNING
REFEREE

SHERRILL WM. COLVIN
REFEREE

KENNETH E. WATSON
CHIEF PROBATION OFFICER

LT. JAMES QUINN
INVESTIGATOR

ALLEN COUNTY COURTHOUSE
FORT WAYNE, INDIANA 46802

October 15, 1973

City Planning Commission
City Hall
Fort Wayne, Indiana

Re: Group Homes for Juveniles

TO WHOM IT MAY CONCERN:

It has come to my attention that an ordinance regarding group homes is being formulated. Group homes for juveniles in our community are an important part of the total treatment program being utilized by our Probation Department under the juvenile court system. Establishment of group homes in our own community enable us to use community resources and keep the child in closer contact with the family to which he will eventually return.

I further urge that your ordinance allow group homes to be placed in residential areas similar to that of his or her natural home.

Sincerely,



Robert E. Meyers, Judge

REM:AL



FORT WAYNE STATE HOSPITAL AND TRAINING CENTER

801 EAST STATE BOULEVARD
PHONE AREA CODE 219—484-6621

October 15, 1973

City Planning Commission
Room 800
City-County Building
Fort Wayne, Indiana

Dear Sirs:

The staff of the Fort Wayne State Hospital and Training Center is very much interested in the ordinance being considered by the City Council which will establish zoning regulations for group homes. We believe that such an ordinance will support agency work in behalf of people who need homes and who are unable to provide entirely for themselves. On the other hand a zoning regulation should establish standards that will protect the people and enterprises already in existence in the various sections of the city.

The Fort Wayne State Hospital and Training Center has had a flourishing family care program for fifteen years. Most of the scores of people served through this program have lived in Fort Wayne. The reactions of the neighbors among whom our clients have lived have been uniformly positive. In fact every home used has led other people in the neighborhood to ask about how they might also participate in the program. Our experience leads us to believe that the impact of these services on the immediate neighborhood is good. From the standpoint of community-wide impact, it would be hard to exaggerate the value derived.

We wish to join the other agencies of Fort Wayne in support of the proposed zoning ordinance.

Yours truly,

A handwritten signature in dark ink, appearing to read "Ora R. Ackerman, Ed. D.".

Ora R. Ackerman, Ed. D.
Superintendent

ORA:mse

October 11, 1973

City Planning Commission
City-County Building
Fort Wayne, Indiana

Re: Group Treatment Homes

Dear Sirs:

I am certainly in favor of giving young people living in a group home setting - having the advantage of a "good neighborhood" atmosphere. I see no impediments to having such a group home in my neighborhood (I have lived next door to one since it opened). Such homes properly supervised are no different than an individual family dwelling - in fact in many cases, the people are more restricted than the average family with several children, who run and play all around the neighborhood and sometimes can be destructive.

Anna E. Howeth

(Mrs.) Anna E. Howeth
1322 W. Washington Boulevard
Fort Wayne, Indiana 46804

The Department of Public Welfare of Allen County

606 SOUTH CALHOUN STREET
FORT WAYNE, INDIANA 46802

JOHN E. HEINY
DIRECTOR

PHONE: 423-1641

October 15, 1973

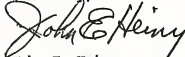
City Plan Commission
City-County Building
1 Main Street
Fort Wayne, Indiana, 46802

Gentlemen:

The Department of Public Welfare has used the various group homes already located in the residential neighborhoods of the City, and has found that the children under our supervision had been well received in the neighborhoods where they were placed.

It is believed than an ordinance establishing further group homes in residential areas is a necessary one, and that next to a foster home, a group home is a more realistic placement for children than an institution.

Sincerely,



John E. Heiny
Director



(Miss) Anne Doran
Social Service Coordinator

AD:kd

MENTAL HEALTH CENTER AT FORT WAYNE, INC.

227 E. WASHINGTON BLVD. : : TELEPHONE 219/422-4776
FORT WAYNE, INDIANA 46802

ROBERT L. GREENLEE, M. D.
EXECUTIVE DIRECTOR
DIRECTOR, CHILDREN'S DIVISION

RICHARD W. NOEL, A. C. S. W.
ADMINISTRATOR

HERBERT P. TRIER, M. D.
DIRECTOR, ADULT DIVISION

October 15, 1973

To: The City Plan Commission

We are writing in support of the amendment to the Zoning Ordinance which defines group homes and allows them in R 1, 2, and 3 areas.

Giving help to emotionally and mentally handicapped people can not be as effectively done in large, distant institutions as in community settings. Increasingly, help of this kind is being furnished in small group homes. The Mental Health Center operates three of these for youngsters with emotional problems and one for young adults returning to the community from the State psychiatric hospital. It is imperative for successful treatment that these homes be in residential neighborhoods. Transient, unstable neighborhoods or neighborhoods with business and industry do not provide the kind of environment in which these individuals can resolve problems and grow into normal functioning, contributing citizens. This kind of growth requires as "normal" an environment as can be provided.

We appreciate your consideration of this amendment and ask for your approval.

Sincerely yours,



Richard W. Noel, ACSW
Administration



Robert L. Greenlee, M.D.
Executive Director

RWN:cky



YOUTH SERVICES BUREAU of allen county, inc.
2211 south calhoun street 219-745-4901
fort wayne, indiana 46804

October 12, 1973

Mr. Richard S. Wanush
Senior Planner
Department of City Planning
1 East Main Street
Fort Wayne, Indiana 46802

Dear Mr. Wanush:

This letter is to share with you our ideas and feelings related to the necessity for group homes in the Fort Wayne area. As an agency which deals primarily with delinquency prevention efforts, diversion of youth from the justice system, and the many problems faced by youth and their families in Allen County, we cannot overemphasize the need for more group homes for troubled and troublesome adolescents.

The treatment of youth in residential group settings is a pressing need, as exemplified by local and national studies and reports dealing with effective treatment programs. There is a national trend away from traditional institutionalization of problem youth, and the decentralization of treatment programs to the neighborhood level. There are many reasons for this. Youth are able to grow and develop in settings which are not isolated from the community.

I heard a comment at the time Brotherhood House was having zoning difficulties. There seemed to be some fear that residents would not consent to troublesome youth living in their neighborhood. In talking with several of the residents who live near Brotherhood House, however, most weren't aware that it was a group treatment home, and all of them said they experienced no difficulties with them. Group homes provide a great public service in the treatment and eventual return to the community of youth, and serves to further reduce rates of juvenile delinquency.

We expect that, in the near future, there will be more group homes developing in the City to deal with the growing needs. For that reason, we feel it is imperative that zoning ordinances be revised to include group homes in the R1, R2, or R3 classifications. This would avoid the problems encountered in the past, and allow for planned implementation of group home facilities.

Very truly yours,

David A. Lambert
Executive Director

cc: Robert E. Meyers, Judge



FAMILY AND CHILDREN'S SERVICES



2424 FAIRFIELD AVENUE
FORT WAYNE, INDIANA 46807
PHONE 744-4326
October 12, 1973

Fort Wayne City Planning Commission
8th Floor
City-County Bldg.
Fort Wayne, Indiana 46802

Re: Ordinance Amendment

Dear Commission Members:

Family and Children's Services wishes to take this opportunity to strongly endorse an amendment to existing ordinances both permitting and encouraging locating Group Homes in Residential One (1), Two (2), and Three (3) areas.

Group Homes of several kinds are essential for providing adequate services to many youth of our community. Receiving help locally is a strong current trend with some states having time schedules established for elimination of large state facilities that have not done an adequate job of rehabilitation of the youth placed or kept there for varying periods of time. In fact, some such facilities have become delinquency training centers.

Adequate treatment resources are important for obtaining and maintaining measurable results. Our local approach to a regional correctional concept also reflects this needed modification.

Working with the parents who have been a primary world for many delinquent adolescents is facilitated with group homes located near to where these young adults will be returned for ongoing living arrangements.

"Providing Strength To Families Under Stress" is one of our Family Service Association of America by-lines. This national standards-setting agency (F.S.A.A.) also endorses adequate group homes located within communities.

Sincerely,

Norman Hanson, MSW, ACSW
Executive Director

NH:nks

cc: John Mauff, FSAA

Norman J. Hanson, ACSW
EXECUTIVE DIRECTOR

Paul E. Blackstone, ACSW
DIRECTOR OF COUNSELING SERVICES

Mental Health Association

in Indiana and Allen County

Foellinger Center --- 227 East Washington
FORT WAYNE, INDIANA 46802

Ruth Anne Sprunger, Executive Director

Phone (219) 422-4776

October 11, 1973

City Planning Commission
City-County Building
One Main Street
Ft. Wayne, Indiana 46802

Gentlemen:

We have studied the proposal to ammend the Zoning Ordinance of the City of Fort Wayne pertaining to the establishment of group homes and half way houses in R. 1, R. 2, and R. 3 areas. We support the ordinance as a means of providing for the rehabilitation and treatment of the physically, emotionally and socially handicapped as an alternative to institutional care and we would encourage very strongly its passage.

Thank you for your consideration.

Sincerely,

Ruth Anne Sprunger

Ruth Anne Sprunger
Executive Director

RAS:rar

October 12, 1973

The City Planning Commission
City County Bldg. 1 Main Street
Fort Wayne, Indiana 46802

Gentlemen:

This letter is in support of the ordinance which is before you on behalf of Group Homes. From the point of view of the Allen County Council on Aging, this is an ordinance which will be very helpful in establishing priorities for work in neighborhood centers. At the present time there are no Group Homes for the elderly. However, we recognize that the experience in other communities has been that there will be Group Homes sometime in the near future in the City of Fort Wayne. We believe that this kind of neighborhood setting for a group will be extremely helpful and the work that must be done to give these individuals an opportunity to live as normal people in society.

I am sure there will be questions raised as to what it means to put a Group Home in a residential setting. Having worked elsewhere on settings where there were Group Homes, I can state that I have seen some very helpful results to both a community and to those children and older people who were in Group Homes.

I trust that there will be sufficient support within the Planning Commission to pass this necessary ordinance.

Sincerely yours,



A. Greig Ritchie
Executive Director

AGR/ml



ALLEN COUNTY *Association for the Retarded, Inc.*

EXECUTIVE OFFICES

2542 THOMPSON AVENUE

(219) 744-3324

FORT WAYNE, INDIANA 46807

October 15, 1973

City Planning Commission
Fort Wayne, Indiana

To Whom It May Concern:

The mentally retarded in increasingly large numbers have been included in special education classes in the public schools. In addition, community based centers, such as the Johnny Appleseed Center, has helped to provide needed education and training through the development of preschool programs, sheltered workshop programs, and vocational training programs. These programs have done much to help adult retardates to become intrical and productive members of our society.

Yet, there has remained one glaring lack in normalized services for the retarded. Namely, the lack of adequate residential facilities for those individuals who for one reason or another cannot be cared for in their own natural homes and for whom normalization indicates the desirability of living in another setting. Residential care is not viewed merely as a last resort or terminal measure for only the most severely handicapped mentally retarded citizens. Rather it is seen as an intrical part of the treatment program for every mentally retarded citizen who needs it.

Normalization has helped us to define more clearly the basic rights of the mentally retarded. Among these rights are the rights to live a normal or nearly normal life in the community. The right to use community facilities to meet one's needs and to provide for one's happiness. The right to become a productive and contributing member of society and the right not to be isolated from one's family and community without due cause. Finally, it has led us to speak of the right of the mentally retarded person to life, liberty and the pursuit of happiness which is the birthright of every member of our society. But our belief in the rights of the mentally retarded carries with it the necessity of a commitment to change those things which hinder or restrict these rights. A belief in the right of the mentally retarded person to a normalized life among his fellow citizens in his own community requires a commitment on our part to see that appropriate residential services are available to him.

OFFICERS AND DIRECTORS

PHILIP TERRILL

President

MRS. ERROL HDUK

President-Elect

ROBERT CHRISTEN

Treasurer

MRS. HDMER KIPLING

Secretary

JAMES LASSUS

P. MICHAEL MILLER

MRS. FRED HOLT

LEO R. CASSO

ALAN O. RICHARDS, M.D.

MRS. SAMUEL GLADDING

STERLING R. MACER

MRS. HENRY SANDKUHNER

MEMBER OF

TRACY LITTLE

WILLIAM KEMP

ROBERT PIDN

PAUL PETERINK

JAMES T. ALSTIN

Executive Director

MICHAEL H. JOYCE

FRED MERIWETHER

MRS. JERRY HARMS

NATIONAL ASSOCIATION FOR RETARDED CHILDREN
INDIANA ASSOCIATION FOR RETARDED CHILDREN

COMPREHENSIVE SERVICES FOR THE RETARDED AND THEIR FAMILIES

NATIONAL REHABILITATION ASSOCIATION
NATIONAL ASSOCIATION OF SHELTERED WORKSHOPS

On behalf of the Board of Director's and it's staff to develop a comprehensive system of community based residential services to meet the needs of the mentally retarded citizens of Allen County, it is our hope that you will amend the Zoning Ordinance to include group homes as proposed.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. H. Dulle".

A. H. Dulle, Executive Director
Allen County Association for the Retarded, Inc.

AHD/s

cc: Linda Houk, President
Board of Directors

Multiple Modality 9 Treatment Program

227 E. WASHINGTON BLVD. • ROOM 102 • FORT WAYNE, INDIANA 46802 • 743-0011

MEMBER UNITS

DRUG ABUSE COUNSELING CLINIC
OUTPATIENT & CENTRAL INTAKE
227 E. WASHINGTON BLVD.
743-0011

ALLEN COUNTY DRUG TREATMENT CENTER
INTENSIVE RESIDENTIAL DRUG REHABILITATION
301 W. SUPERIOR
743-7357

SUMMIT HOUSE TREATMENT CENTER
OUTPATIENT COUNSELING - METHADONE
114 W. WASHINGTON BLVD.
423-5419

SWITCHBOARD, INC.
24 HOUR EMERGENCY HOT LINE
DROP-IN CENTER
1012 BROADWAY
742-7333

IADAC
INFORMATION & ADMINISTRATION
227 E. WASHINGTON BLVD.
743-0011

City Planning Commission
8th Floor
City-County Building
Fort Wayne, Indiana

Dear Sirs:

An ordinance defining group homes as permitted use has been needed for the past few years. The increasing development of group homes during this time plus the planned increase to come, points up the timeliness of this ordinance. The Child Care Study will release its report in November 1973 recommending the development of a continuum of group homes offering a continuum of treatment.

The group home as a viable treatment alternative is an established fact, and in our community it is a here-and-now reality. These homes serve to temporarily remove the resident from an untenable home environment and place them in a model learning and therapeutic environment. The group home also serves as a re-entry environment. The concept of providing care without severing community ties and providing a home type atmosphere in a neighborhood setting are vital aspects of treatment in a group home.

Brotherhood House is such a group home. There are many neighbors who actively participate in programs run by Brotherhood House. In 1973, a Zoning Board hearing was held to obtain a variance to operate Brotherhood House as a group home. No neighbors came to the hearing to complain, but several came to say they were proud to have Brotherhood House in their neighborhood. The variance was granted.

The public service offered by group homes is primarily two fold; first it offers an alternative to no help being offered or institutionalization; and secondly, as in the case of Brotherhood House, it keeps the potentially delinquent off the streets and out of criminal activities.

Respectfully submitted,



Roger Henry, Chairman of the Board
Brotherhood House

UNDER THE AUSPICES OF THE MENTAL HEALTH CENTER OF FORT WAYNE

CATHOLIC CHARITIES

DIOCESE OF FORT WAYNE — SOUTH BEND

October 15, 1973

Mr. Richard Wanush, Senior Planner
City Plan Commission
City-County Building
1 East Main Street
Fort Wayne, Indiana - 46802

Dear Sir:

RE: GROUP HOME ENDORSEMENT

The number of juveniles who cannot function in their own homes is increasing dramatically. Evidence of this can be seen by the rising number of juveniles arrested. These factors have put extreme pressure upon the counseling and social services available to the family as well as to the Court. Incarcerating juvenile offenders is diametrically opposed to the accepted behavior modification theory, for, in addition to their geographic removal, incarceration means interruption of the few remaining ties and family responsibilities.

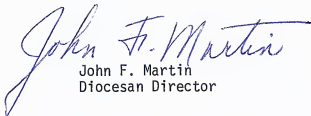
It is for the above reasons that I favor Group Homes in our community. The Group Home concept provides maximum flexibility in supervised living. Residents of the Group Home are free to attend school, work and to engage in other vocational training programs available within our community. When the individual shows evidence of increasing maturity and ability to take on more responsibility, he or she is given an increasing degree of control over the activities of their own life. In addition, the Group Home provides an environment for growth through the use of personal counseling, group therapy, education, supervision and recreation.

In addition to the sociological factors mentioned, the community at large benefits directly by providing a low-cost and efficient service to combat an increasing problem faced by our juvenile authorities. It has been demonstrated in other communities such as Minneapolis, Minnesota, where Group Homes have operated in neighborhoods since 1963, that such dwellings blend in and contribute to the over-all enrichment of a neighborhood.

Mr. Richard Wanush, Senior Planner
Page 2
October 15, 1973

Although there are many more reasons which could be cited, I believe that zoning laws favorable to the establishment of Group Homes in our community are necessary and pose an extremely viable solution to an increasing problem of supervised living for adolescents.

Sincerely yours,



John F. Martin
Diocesan Director

JFM/jaf

TO THE CITY PLANNING COMMISSION

I live in the general vicinity of the Group Home for Adolescent Girls located at 1332 West Washington. I feel that I can say that having the Home in my neighborhood has not had a degrading or negative influence on it. Some of the girls in the home have been very beneficial in working with our children in the summer tutoring program.

I see no reason why this program and others like it should not continue.

Mrs. Marguerite Teubryke
Signature

1030 W. Washington
Address

Date: Oct. 14-1973

TO THE CITY PLANNING COMMISSION

I live in the general vicinity of the Group Home for Adolescent Girls located at 1332 West Washington. I feel that I can say that having the Home in my neighborhood has not had a degrading or negative influence on it. Some of the girls in the home have been very beneficial in working with our children in the summer tutoring program.

I see no reason why this program and others like it should not continue.

Mrs. Bernice Madison
Signature

1302 N. Washington
Address
city

Date: 10-14-73

Sylvia See

Question: Why group homes, and why group homes in residential districts. You all know the problems involved in sending ^{Persons} ~~children~~ away to large institutions. The cost is very high. The recidivism rate has proved to be very high. The world of the institution is not necessarily any more healthy or productive than the world from which the ^{Person} ~~child~~ was removed. And there is always the problem of "institutional adjustment"--that is, the ^{Person} ~~child~~ may make a fine adjustment within the institution, but go right back to previous patterns when returned to the community. Consequently, in recent years we have all moved, or attempted to move, in the direction of community mental health care--helping the ^{Person} ~~client~~ in the community, using community resources, helping to develop better community citizens. And in the case of children, and young adults, ^{aged} placing them whenever possible in group homes, small residential situations as much like families as possible, yet providing supervision, treatment, guidance, some degree of security, ^{good} ~~adult~~ models to identify with, peer groups, etc.

But where should these group homes be located? I believe that they should be located in residential districts, and I think the essential reason lies in the concept of "milieu therapy." As you are all aware, milieu therapy applies to the complete setting in which the ^{Person} ~~child~~ is placed. ^{individuals} The home, the other ~~children~~, the adults, the schedule, the activities, the treatment, the atmosphere itself--all can be therapeutic, or destructive. We all know this--but why would we fail to apply the same concept to the neighborhood in which the home is located? The residents in a group home do not live only in the home. They also live in the neighborhood, and indeed identify with the neighborhood. So I would ask you to ask yourselves the obvious questions. When the children walk on the street, should they be surrounded by factories, and ^{Buildings, or Sleams?} ~~slums~~? When they go to the store, what sort of a store should it be? And most important of all, what sort of social relationships should they encounter? If they survive the traffic, that is. ~~Many children in group homes today come from middle class backgrounds. But regardless of their~~

background, can we believe that we are placing the ^{individuals} ~~child~~ in a therapeutic milieu if every day on the streets they encounter ~~drug-pushers, pimps and whores~~, all the social deviates whom we are attempting to keep them from joining? Or in an abandoned neighborhood, if they encounter only empty buildings and ^{derelicts} ~~derelicts~~? I don't think so. When we speak of preparing the ^{Person} ~~child~~ to be a community citizen, we mean the acceptable community. Therefore, when we speak of placing the ~~child~~ ^{Person} in a therapeutic milieu, we must mean a therapeutic milieu outside the group home as well as inside it.

There are other factors, in addition to normalizing social relationships, which require group homes to be placed in residential districts of at least reasonable social stability. For example, all organizations now involved in operating group homes are public-service, non-profit groups. They are not businesses, and have no more reason to be in business zones than ^{industrious & honest} ~~nursing homes~~ and other multiple lodgings. ^{In the case of children,} ~~Also, one of the most important activities in which our children engage~~ is education, going to school. We demand that the schools be decent places to go; but in terms of the child's mental health, it is just as important that they come from a decent place to the school, as it is that the school be decent.

Above all, I would like to remind you that the whole trend in our society is toward confronting and dealing with problems, ~~most especially problem children,~~ rather than sweeping them under the rug. It is not consistent with this concept for us to send our disturbed children ^{+ adults} off to an institution somewhere else. And by the same token, it is also not consistent with this concept to place ^{our children} ~~our children~~ in group homes, but to place the group homes in areas where the children will constantly, every day, be exposed to the most destructive influences our society has to offer. Group homes should be located in residential areas where group home children may interact with and learn from reasonably normal citizens in a reasonably normal community. Otherwise, we have defeated our purpose before we have even begun.

DIGEST SHEET

D-93-09-14

TITLE OF ORDINANCE General Ordinance amending the text of the Zoning Ordinance

permitting Group Homes and Half-Way houses in specified districts
DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE An Ordinance amending Sections 3 and 14 of the
Zoning Ordinance of the City of Fort Wayne, Indiana, pertaining to the

definitions of Group Homes and Half-Way Houses and for their location in
certain districts as permitted uses.

EFFECT OF PASSAGE This would permit group homes and half-way houses
in specified districts, rather than being submitted to the Board of Zoning
Appeals for special use permit.

EFFECT OF NON-PASSAGE Applications for group homes and half-way houses
would have to apply to the Board of Zoning Appeals for special use, as is
the present procedure.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) Reg



CITY OF FORT WAYNE
CITY-COUNTY BUILDING
ONE EAST MAIN STREET
FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN
CITY CLERK

October 26, 1973

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of October 29 & November 5, 1973, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana:

Amending the City of Fort Wayne
Zoning Map No. G5 - Z-23-73
Bill No. Z-73-08-40

Amending the City of Fort Wayne
Zoning Map No. A17 - Z-22-73
Bill No. Z-73-08-38

Amending the City of Fort Wayne
Zoning Map No. CC24 - Z-21-73
Bill No. Z-73-08-24

Amending the City of Fort Wayne
Zoning Map No. JJ1 - Z-20-73
Bill No. Z-73-08-22

Amending Sections 3 and 14 of
the Zoning Ordinance of the City
of Fort Wayne, Indiana, pertaining
to the definitions of Group Homes
and Half-Way Houses and for their
locations in certain districts as
permitted uses. G-26-73
Bill No. G-73-09-14.

Respectfully,

CWW/ne
ENCL: 5

Charles W. Westerman
City Clerk

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date 11-7-73, 19

Title CLERK

Notice is hereby given that on the 23rd day of October, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-73-09-14 G-25-73 General Ordinance, to-wit:

BILL NO. G-73-09-14

GENERAL ORDINANCE NO. G-25-73

An Ordinance amending Section 3

and 14 of the Zoning Ordinance of the

City of Fort Wayne, Indiana, relating

to the definitions of Group Homes and

in certain districts as permitted uses.

WHEREAS, over the past several years

the City of Fort Wayne, and other cities

throughout the country, have begun to ex-

perience the growth of a new type of care

facility called the group home; and

WHEREAS, this growth is a recognition

that some persons who are categorized as

physically, mentally or socially handi-

capped are not best served by the process

of institutionalization and their potential for

rehabilitation and ultimate return to the

community as self-sufficient, productive

members of society is greatly enhanced by

placing them in a temporary residential

group facility in a residential environment;

and

WHEREAS, the current zoning ordinance

of the City of Fort Wayne makes no provi-

sion for such uses as permitted or other-

wise, except as contingent or special uses

of the discretion of the Board of Zoning

Appeals, and this seriously and adversely

affects the planning and development and

operation of these group care facilities, con-

compliance with the purposes of the zoning or-

dinance which is to promote and not hinder

the public health, safety, comfort, morals,

convenience, and general public welfare;

and

WHEREAS, this situation should be re-

medied by amending the Zoning Ordinance

to define Group Homes and Half-Way

Houses and by providing for them as per-

mitted uses in certain limited residential

areas.

NOW, THEREFORE, BE IT ORDAINED

BY THE COMMON COUNCIL OF THE

CITY OF FORT WAYNE, INDIANA,

SECTION 1. Section 3 of Chapter 36 of the

Municipal Code of the City of Fort Wayne,

Indiana, 1946, as amended by General Or-

dinance No. 2836 and subsequent amend-

ments, is hereby amended by adding there-

to the following:

Section 3. Definitions.

(a) Extended Group Home — A fa-

ci- lity located in a residential commu-

nity providing shelter and/or rehabili-

tation for from seven (7) to fourteen (14)

children under the age of eighteen (18)

years, referred by a governmental

body or duly licensed social service

agency, who for various reasons cannot

reside in their family home. Twenty-

four hour adult supervision is manda-

tory and professional supervision and

consultation is available to both child

care staff and children. The purpose of

this type of facility is to provide a safe

structure for the child who does not need

the structure of an institution in that he

does not present a threat to the com-

munity, yet is not a foster home candi-

date. The goal of the service is to re-

turn home, other placement or emanci-

pation, depending upon the age of the

child and the circumstances of his fam-

ily.

(b) Half-Way House — A resident

facility for sixteen (16) or less persons

eighteen (18) years of age or older, re-

ferred by a governmental body or duly

licensed social service agency, which

provides short-term rehabilitative ser-

vices in a transitional environment, to

persons who are physically, emotional-

ly or socially handicapped. The goal of

the service is to aid the individual's

successful re-entry into the community

as an independent and a productive

member.

(c) Limited Group Home — A fa-

ci- lity located in a residential community

providing shelter and/or rehabili-

tation for six (6) or less children under

the age of eighteen (18) years, referred

by a governmental body or duly licensed

social service agency, who for various

reasons cannot reside in their family

home. Twenty-four hour adult super-

vision is mandatory and professional

supervision and consultation is avail-

able to both child care staff and chil-

dren. The purpose of this type of fa-

ci- lity is to provide a service for the child

who does not need the structure of an

institution in that he does not present a

threat to the community, yet is not a

foster home candidate. The goal of the

service is to return home, other place-

ment or emancipation, depending upon

the age of the child and the circum-

stances of his family.

SECTION 2. Section 14 of Chapter 36 of

the Municipal Code of the City of Fort

Wayne, Indiana, 1946, as amended by Gen-

eral Ordinance No. 2836 and subsequent

amendments, is hereby amended by adding

thereto the following:

Section 14. Permitted Uses — Specified

Districts.

A. "R1" District — One Family Resi-

dence.

(1) One Family Dwelling.

(2) Public Park or Recreation Area.

(3) Church, Public or Parochial

Primary or Secondary School, in-

cluding attached or free standing an-

ouncement or bulletin board, not ex-

ceeding 24 square feet in area.

(4) Home Occupation.

(5) Limited Group Home, if its loca-

tion is first approved by the Board of

following a public hearing.

(6) Day Nursery, if its location is

first approved by the Board following a

public hearing.

(7) Accessory Building and Use.

(8) Name Plate or Sign — One per

dwell- ing unit not exceeding 1 square

foot in area; unlighted signs not ex-

ceeding 12 square feet in area per-

taining to sale or rental of property on

which located.

B. "R2" District — Two Family Residence.

(1) All uses permitted in the "R1"

District, plus:

(2) Two Family Dwelling.

(3) Day Nursery.

(4) Limited Group Home.

(5) Extended Group Home, if its loca-

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says

that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city } of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy,

which was duly published in said paper for two time, the dates of publication being

as follows:

October 29 and November 5, 1973

Subscribed and sworn to before me this 7th day of November 1973

Keith Stapleton
Notary Public

My commission expires March 8th, 1974

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

LINE COUNT

Head	number of lines
1	1
2	2
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7	7
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Body	number of lines
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Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

254 lines, 1 columns wide equals 2884 equivalent lines at 2884 cents per line

~~\$ 73.15~~

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 73.15

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type $5\frac{1}{2}$ point

Number of insertions.....two

Size of quad upon which type is cast. $5\frac{1}{8}$

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date 11-7-73, 19

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD, who, being duly sworn, says that she is CLERK of the _____

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published
in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time, the dates of publication being as follows:

October 29 and November 5, 1973

Subscribed and sworn to before me this 7th day of November 1973

My commission expires March 8th 1974 Notary Public

Notice is hereby given that on the 23rd day of October, 1973, the Common Council of the City of Fort Wayne, Indiana, in session and in open court, did pass an ordinance of annexation, depending upon the action of the citizens of the City of Fort Wayne, Indiana, under the circumstances of their family.

That the City of Fort Wayne, Indiana, is a part of the Municipal Code of the City of Chapter 36, Article 1, Section 1-1, of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2-26-73, of the City of Fort Wayne, Indiana, 1973, and that the Council of the City of Fort Wayne, Indiana, as General Ordinance No. 2-26-73, of the City of Fort Wayne, Indiana, 1973, is hereby attested.

ATTEST: (SEAL) WINFIELD C. WESTERMAN, Mayor, City of Fort Wayne, Indiana, Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:00 o'clock A.M., EST.

CHARLES W. WESTERMAN, City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., EST.

IVAN A. LEBANOFF, Mayor

I, Charles W. Westerman, do hereby certify that the foregoing is a true and correct copy of the true and complete copy of General Ordinance No. 2-26-73 passed by the Common Council of the City of Fort Wayne, Indiana, and that said Ordinance was duly signed and attested by me on the 24th day of October, 1973, and now remains on file in the City of Fort Wayne, Indiana.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., EST.

It is necessary that ads placed in the following
Classifications be paid in advance.
Unmanned Sales; Part Ads Leaving City or
Worked.
ANYONE WITNESSING THE ACCIDENT
At Fairfield and Pettit at 3 P.M. OCT.
13, 1973 - Please call 432-3839.
ATHLETIC PAINTINGS - of favorite
Sport, contemporary style, custom made,
16"x20" Monotype.
10-29--11-5 City

PUBLISHER'S AFFIDAVIT

State of Indiana }
County of Allen } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned, A. M. Hostman who, being duly sworn, says that she is Clerk of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

October 29 and November 5, 1973Subscribed and sworn to before me this 7th day of November 19 73

Notary Public

My commission expires March 2th, 1974

Notice is hereby given that on the 23rd day of October, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-73-09-14 G-26-73 General Ordinance, BILL NO. G-73-09-14

GENERAL ORDINANCE NO. G-26-73
An Ordinance amending Section 3 and 14 of the Zoning Ordinance of the City of Fort Wayne, Indiana, pertaining to the definitions of Group Homes and Half-Way Houses and for their location in certain districts as permitted uses.

WHEREAS, over the past several years the City of Fort Wayne, and other cities throughout the country, have begun to experience the growth of a new type of care facility called the group home; and

WHEREAS, this growth is a recognition that some persons who are categorized as physically, mentally or socially handicapped are not best served by the process of institutionalization and their potential for rehabilitation and ultimate return to the community as self-sufficient, productive members of society is greatly enhanced by placing them in a temporary residential group facility in a residential environment; and

WHEREAS, the current zoning ordinance of the City of Fort Wayne makes no provision for such uses as permitted or otherwise, except as contingent or special uses of the discretion of the Board of Zoning Appeals, and this seriously and adversely affects the planning, development, and operation of these group care facilities, contrary to the purposes of the zoning ordinance which is to provide and not hinder the public health, safety, comfort, morals, convenience, and general public welfare; and

WHEREAS, this situation should be remedied by amending the Zoning Ordinance to define Group Homes and Half-Way Houses and by providing for them as permitted uses in certain limited residential areas.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 3 of Chapter 34 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 238 and subsequent amendments, is hereby amended by adding thereto the following:

Section 3. Definitions.

(1) Extended Group Home — A facility located in a residential community providing shelter and/or rehabilitation for from seven (7) to fourteen (14) children under the age of eighteen (18)

years, referred by a governmental body or duly licensed social service agency, who for various reasons cannot reside in their family home. Twenty-four hour adult supervision is mandatory and professional supervision and consultation is available to both child care staff and children. The purpose of this type of facility is to provide a service for the child who does not need the structure of an institution in that he does not present a threat to the community. The goal of the service is to return home, other placement or emancipation, depending upon the age of the child and the circumstances of his family.

(2) Half-Way House — A resident facility for sixteen (16) or less persons eighteen (18) years of age or older, referred by a governmental body or duly licensed social service agency, which provides short-term rehabilitative services in a transitional environment to persons who are physically, emotionally or socially handicapped. The goal of the service is to aid the individual's successful re-entry into the community as an independent and a productive member.

(3) Limited Group Home — A facility located in a residential community providing shelter and/or rehabilitation for six (6) or less children under the age of eighteen (18) years, referred by a governmental body or duly licensed social service agency, who for various reasons cannot reside in their family home. Twenty-four hour adult supervision is mandatory and professional supervision and consultation is available to both child care staff and children. The purpose of this type of facility is to provide a service for the child who does not need the structure of an institution in that he does not present a threat to the community, yet is not a foster home candidate. The goal of the service is to return home, other placement or emancipation, depending upon the age of the child and the circumstances of his family.

SECTION 2. Section 14 of Chapter 34 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 238 and subsequent amendments, is hereby amended by adding thereto the following:

Section 14. Permitted Uses — Specified Districts.

A. "R1" District — One Family Residence.

(1) One Family Dwelling.
(2) Public Park or Recreation Area.
(3) Church, Public or Parochial Primary or Secondary School, including attached or free standing announcement or bulletin board, not exceeding 24 square feet in area.
(4) Home Occupation.

(5) Limited Group Home. If its location is first approved by the Board of following a public hearing.
(6) Day Nursery. If its location is first approved by the Board following a public hearing.

(7) Accessory Building and Use.
(8) Name Plate or Sign — One per dwelling unit not exceeding 1 square foot in area; unlighted signs not exceeding 12 square feet in area pertaining to sale or rental of property on which located.

B. "R2" District — Two Family Residence.

(1) All uses permitted in the "R1" District, plus:
(2) Two Family Dwelling.
(3) Day Nursery.
(4) Limited Group Home. If its location is first approved by the Board following a public hearing.

(2) Public Park or Recreation Area.
(3) Church, Public or Parochial Primary or Secondary School, including attached or free standing announcement or bulletin board, not exceeding 24 square feet in area.
(4) Home Occupation.
(5) Limited Group Home, if its location is first approved by the Board of following a public hearing.
(6) Day Nursery, if its location is first approved by the Board following a public hearing.
(7) Accessory Building and Use.
(8) Name Plate or Sign — One per dwelling unit not exceeding 1 square foot in area; unlighted signs not exceeding 12 square feet in area pertaining to sale or rental of property on which located.

B. "R2" District — Two Family Residence.
(1) All uses permitted in the "R1" District, Plus:
(2) Two Family Dwelling.
(3) Day Nursery.
(4) Limited Group Home.
(5) Extended Group Home, if its location is first approved by the Board following a public hearing.
(6) Half-Way House, if its location is first approved by the Board following a public hearing.
(7) Accessory Building and Use.

C. "R3" District — Multiple Family Residence.
(1) All Uses Permitted in the "R2" District, Plus:
(2) Multiple Family Dwelling.
(3) Apartment hotel.
(4) Day Nursery, Tourist Home, Lodging Home.
(5) Nursing Home or Rest Home.
(6) Non-Profit Private Club.
(7) Mortuary.
(8) Extended Group Homes.
(9) Half-Way House.
(10) Office or Studio, if its location is first approved by the Board following a public hearing.
(11) Accessory Building and Use.

SECTION 3, if any part, parts, section, sections, provision, clause or portion of this Ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Ordinance as a whole or of any other part, section, clause, provision, or portion of this Ordinance.
SECTION 4, This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

JOHN NUCKOLS,

Councilman
Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage.
PASSED by the following vote:

Ayes: six
Hings, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: Two
Burns, D. Schmidt
Absent: One
Kraus
DATE: 10-23-73

CHARLES W. WESTERMAN,
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-26-73 on the 23rd day of October, 1973.

ATTEST: (SEAL) WINFIELD C. MOSES, Jr.
CHARLES W. WESTERMAN Presiding Officer
City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN

City Clerk
Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF,

Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-26-73 passed by the Common Council on the 23rd day of October, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 24th day of October, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of October, 1973.

CHARLES W. WESTERMAN,
City Clerk

Common Council, City of Fort Wayne
(Governmental Unit)

To.....NEWS-SENT INEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

254 lines, 1 columns wide equals equivalent lines at 288¢ cents per line

\$77.35

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$77.35

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 20

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A.M. Hostman

Date 11-7-73, 19

Title Clerk

Witness and approved by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-26-73 on the 23rd day of October, 1973.
ATTEST: (SEAL) WINFIELD C. MOSES, JR. Presiding Officer
CHARLES W. WESTERMAN City Clerk
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.
CHARLES W. WESTERMAN City Clerk
Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.
IVAN A. LEBAMOFF, Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-26-73 passed by the Common Council on the 23rd day of October, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 24th day of October, 1973 and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of October, 1973.
CHARLES W. WESTERMAN, City Clerk

10-29-11-5

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A.M. Hostman who, being duly sworn, says that She is Clerk of the

NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

October 29 and November 5, 1973

A.M. Hostman

Subscribed and sworn to before me this 7th day of November 1973

South Stapleton
Notary Public

My commission expires March 24th, 1974